California Department of Health Services
SANDRA SHEWRY
Director

State of California—Health and Human Services Agency

Department of Health Services

ARNOLD SCHWARZENEGGER
Governor

November 5, 2004

TO: Public Relations Agencies

Notice to Prospective Proposers

You are invited to respond to this Request for Proposal (RFP) Number 04-35219 entitled, *California Anti-tobacco Public Relations Campaign*. In submitting your proposal, you must comply with the instructions found herein.

Note that all agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at the following Internet site: http://www.ols.dgs.ca.gov/Standard+Language/default.htm.

I. Proposal Submission Deadline

Regardless of postmark or method of delivery, the Department of Health Services' (DHS) Tobacco Control Section must receive proposal packages no later than **5:00 p.m.** on **December 17, 2004**. Refer to the attached RFP for detailed submission requirements.

II. Mandatory Letter of Intent and Conflict of Interest Certification

In this procurement, prospective proposers are required to submit a nonbinding Letter of Intent and Conflict of Interest Certification. See the RFP for detailed Letter of Intent submission instructions.

III. Disabled Veteran Business Enterprise (DVBE) participation requirements

This procurement is *not* subject to Disabled Veteran Business Enterprise (DVBE) participation requirements because the Tobacco Control Section is statutorily exempt from Public Contracts Code requirements.

IV. Funding Limit

Funding for these services may be limited to the following amounts:

$500,000 for the budget period of 03/01/05 through 06/30/05.
$1,000,000 for the budget period of 07/01/05 through 06/30/06.
$1,000,000 for the budget period of 07/01/06 through 06/30/07.
$1,000,000 for the budget period of 07/01/07 through 06/30/08.

Funding for each state fiscal year is subject to an annual appropriation by the State Legislature. If full funding does not become available, DHS will cancel the resulting agreement or amend it to reflect reduced funding and reduced service requirements. Continuation beyond the end of each state fiscal year is also subject to the contractor's successful performance. Without prior DHS authorization, you may not expend funds set aside for one budget period in a subsequent budget period.

V. Proposer Questions

We have made our best effort to make this Request for Proposal complete and without need of explanation. However, if you have a question or need clarifying information, put your inquiry in writing and mail or fax it to DHS according to the instructions in the RFP section entitled *Proposer Questions*.

Thank you for your interest in carrying forward the California Anti-tobacco Public Relations Campaign.

Sincerely,

Robin Shimizu
Assistant Chief
Tobacco Control Section

Attachment

California
Department of
Health Services

Request for Proposal 04-35219

California Anti-tobacco Public Relations Campaign

November 5, 2004

California Department of Health Services
Tobacco Control Section

Internet URL: http://www.dhs.ca.gov/tobacco

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Refer to http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm to view the Exhibits that comprise the Appendix to this RFP:

I. GENERAL INFORMATION

A. Purpose and Background

1. Purpose

The California Department of Health Services, Tobacco Control Section (DHS/TCS) is inviting proposals from qualified agencies to continue, develop, and implement a statewide public relations campaign. This campaign will be part of a comprehensive, multifaceted program that has the goal of reducing tobacco use in California by promoting a social norm of not accepting tobacco use.

DHS/TCS intends to make a single contract award to the most responsive and responsible firm earning the highest score. This procurement is open to all eligible firms that meet the Qualification Requirements starting on page 3.

DHS/TCS is seeking a contractor to provide comprehensive public relations services, building upon previous campaign strengths and successes and developing fresh approaches that are responsive to current challenges facing tobacco control advocates. DHS/TCS seeks a contractor who can collaborate with statewide and local allies engaged in California's comprehensive tobacco program, to break down apathy and involve the public in creating and preserving a tobacco-free California.

The priority areas of DHS/TCS are:

- Support tobacco users' attempts to quit and stay tobacco-free.
- Counter and eliminate pro-tobacco influences, including advertising, promotions, sponsorships, and other community influences that glamorize tobacco use and interfere with smokers' attempts to quit smoking.
- Reduce exposure to secondhand smoke (SHS).
- Reduce youth access to tobacco.

It is optional for a proposer to consider subcontracting, if the proposer cannot accomplish the entire Scope of Work (SOW) in-house. For those proposers considering subcontracting, it is optional for proposers to identify their proposed subcontractors during the proposal process. However, it is mandatory that proposers specify any plans to accomplish a portion or portions of the SOW through one or more subcontracts, whether or not a proposed subcontractor or subcontractors are named.

This Request for Proposal (RFP) incorporates by reference contract language, as an appendix, to show proposers what to anticipate with regard to contract requirements. The exhibits that comprise the Appendix can be downloaded from http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm. This is the latest information available at the time this RFP is released. DHS/TCS reserves the right to add, delete, or modify the provisions in the final contract. The applicability of some provisons is contingent upon the type of contract. With regard to determining applicability of such provisions, proposers should note that DHS/TCS anticipates awarding a *consultant services* contract from this RFP.

2. Background

The mission of DHS/TCS is to work toward achieving a tobacco-free California and to reduce illness and premature deaths attributable to tobacco, by implementing programs to reduce tobacco use and exposure to SHS.

Proposers are invited to review the information at http://www.dhs.ca.gov/tobacco regarding the comprehensive TCS program. The following documents are particularly pertinent to the history and priorities of TCS:

A Model for Change: the California Experience in Tobacco Control
http://www.dhs.ca.gov/tobacco/documents/modelforchange.pdf

California Tobacco Control Update
http://www.dhs.ca.gov/tobacco/documents/TCSupdate.pdf

The SOW will require the public relations contractor to coordinate with, and support the activities of, TCS-funded Local Programs, which comprise the following:

Local Health Departments: All of California's 58 county and 3 city health departments are funded as Local Lead Agencies (LLAs). Considered the lead tobacco control agency at the local level, each LLA is funded to implement comprehensive tobacco control programs in their area. LLAs involve community coalitions in developing strategic community actions to combat tobacco use in their jurisdictions and conduct a wide range of education, information, policy, prevention, and cessation activities.

Community-Based Grants: More than 50 community-based agencies are currently funded to implement programs designed to reach local ethnic populations, youth in the community, or other specified groups. Many others focus on topic areas, such as chew/dip, cigars, tobacco sponsorship, or tobacco advertising. Innovative strategies are used to reach their respective target populations and to address their specific issues.

Statewide Grants: DHS/TCS funds several statewide grants, which are defined as DHS/TCS-funded projects designed to provide technical assistance and/or services on a statewide basis. Statewide grants offering assistance to DHS/TCS-funded projects are: the Tobacco Education Clearinghouse of

California, California Smokers' Helpline, Technical Assistance Legal Center, The Center for Tobacco Policy and Organizing, California Youth Advocacy Network, Council for Responsible Public Investment, The California Smoke-free Bars, Workplaces and Communities Program, the State Building and Construction Trades Program, the California LGBT (lesbian/gay/bisexual/transsexual) Tobacco Education Partnership (TEP), and four Ethnic-Specific TEPs: African American, American Indian, Asian/Pacific Islander, and Hispanic/Latino.

The public relations contractor will also work closely with the advertising component of the TCS media campaign. Information about the media campaign is available by exploring the links on the DHS/TCS home page at http://www.dhs.ca.gov/tobacco. Proposers can download facts and reports about tobacco use from the Fact Sheets and Evaluation areas of the web site. Proposers may also visit http://www.cstats.info for the latest statistics regarding tobacco use in California.

B. Qualification Requirements

All proposers agree that in submitting a proposal they authorize DHS/TCS to verify any or all claimed information and to verify any references provided in their proposal.

DHS/TCS will deem a proposal nonreponsive if it fails to meet any of the following requirements by the submission deadlines. Reviewers will not review or score proposals that fail to meet these requirements.

DHS/TCS may, at its sole discretion, waive any immaterial deviation or defect in a proposal. However, the waiver of an immaterial deviation or defect in a proposal will in no way modify the document or excuse the proposer from full compliance with proposal requirements if the proposer is awarded the contract.

In submitting a proposal, each proposer must certify that it possesses certain qualification requirements. These certifications appear on Attachment 3 unless otherwise noted.

1. A mandatory Letter of Intent and Conflict of Interest Certification must be received at DHS/TCS by 5:00 p.m. on November 30, 2004. Refer to "Mandatory Letter of Intent" starting on page 10 and Attachment 7.

2. The proposal must be received at DHS/TCS by 5:00 p.m. on December 17, 2004.

3. At least three (3) consecutive years of experience of the type(s) listed below.

   a. Certification that the proposer has a currently operating, California-based office to service the DHS/TCS account that has been in business in California for the past three (3) consecutive years, i.e., since December 17, 2001, or longer.

b. Documentation of at least $4 million in gross annual billings per year in calendar years 2002 and 2003 from its California-based office which would service the DHS/TCS account.

c. A Client List for the California-based office which would service the DHS/TCS account, showing all accounts during the previous five (5) years, at a minimum. The Client List must be provided in the format shown on Attachment 9. Clients of proposer offices other than the California-based office which would service the DHS/TCS account, should not be listed.

d. Experience showing full-service public relations capability, including account service; crisis management; spokesperson training; media relations; ethnic and cultural diversity, young adult (18- to 24-year-old), adult outreach; client counsel; and strategic planning.

4. Proposers must certify that they have read and are willing to comply with all proposed terms and conditions addressed in this RFP, including the terms provided as RFP 04-35219 Supplemental Materials at http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm.

5. [Corporations] Corporations must certify they are in good standing and qualified to conduct business in California.

6. [Nonprofit Organizations] Nonprofit organizations must certify they are eligible to claim nonprofit status.

7. Proposers must certify they have a past record of sound business integrity and a history of fulfilling contractual obligations.

8. Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State. A proposer that is borrowing any or all of the monies necessary to meet initial expenses between the start of the contract period and receipt of the first payment must provide a Letter of Commitment from the proposer's creditor.

9. Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in Attachment 8.

   PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for, and/or being awarded an agreement for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract.

PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services agreement that totals no more than ten percent of the total monetary value of the consulting services agreement. Consultants and employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.

PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

10. A proposal will be deemed nonresponsive and will be rejected if it contains false, inaccurate, or misleading statements, if, in the opinion of DHS, such information was intended to mislead the State in its evaluation of the proposal.

11. A proposal will be deemed nonresponsive and will be rejected if the cost information provided is conditional, incomplete, or includes unsigned or uninitialed material alterations or corrections.

C. Contract Period

1. The tentative term of the resulting agreement is thirty-nine (39) months, March 1, 2005 through June 30, 2008.

2. The agreement term may change if DHS/TCS makes an award earlier than expected or if DHS/TCS cannot execute the agreement by March 1, 2005, because of unforeseen delays.

3. The State may extend the term of this contract, continuing with the same SOW, for a period of no more than two years, contingent upon DHS/TCS' determination that the contractor's performance is satisfactory.

4. Proposals should be based on the contract period stated in paragraph 1 above, excluding the optional two years.

5. The resulting contract will be of no force or effect until it is signed by both parties. The Contractor is hereby advised not to commence performance until all approvals have been obtained. Should performance commence before all approvals are obtained, said services may be considered to have been volunteered.

D. Funding

1. Approximately $3,500,000 is estimated to be available for the base contract period (39 months) to be awarded from this RFP.

2. Funding for each state fiscal year is subject to approved multi-year spending authority and an annual appropriation by the State Legislature and approval of the Governor. If full funding does not become available, DHS/TCS will cancel the resulting agreement or amend it to reflect reduced funding and reduced activities.

3. If changes are required by legislation, court action, or other administrative action affecting the Statewide Public Relations Campaign, the contract shall be amended or terminated accordingly in order to comply with these actions.

E. Scope of Work

See Exhibit A entitled "Scope of Work" within this RFP 04-35219 Supplemental Materials at http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm. Exhibit A contains a description of the services and work to be performed as a result of this procurement.

F. Time Schedule

Below is the tentative time schedule for this procurement:

Event	Date	Time (If applicable)
RFP Released	November 5, 2004	
Proposer Questions Due	November 12, 2004	5:00 p.m.
Fax Pre-proposal Teleconference reservation	November 12, 2004	5:00 p.m.
Pre-proposal Teleconference	November 19, 2004	9:00 a.m.
Mandatory Letter of Intent and Conflict of Interest Certification due	November 30, 2004	5:00 p.m.
Proposal due	December 17, 2004	5:00 p.m.
Finalists' Oral Presentations (Optional)	January 19-20, 2005	times to be determined (TBD)
Notice of Intent to Award posted	January 24, 2005	
Appeal Deadline	January 31, 2005	5:00 p.m.
Contract Award Date	TBD	
Proposed Start Date of Contract	March 1, 2005	

G. News Releases

Proposers shall not issue any news release nor make any statement to the news media pertaining to this RFP, any proposal, the contract, or work resulting therefrom, without first obtaining prior approval of DHS/TCS.

H. Elected Officials

Authorizing legislation mandates that the DHS tobacco control media campaign not feature in any manner the image or voice of any elected public official or candidate for elected office, or directly represent the views of any elected public official or candidate for elected office. Proposers should keep this in mind when contemplating projects or materials for their proposals, e.g., the Project Case Studies starting on page 15.

II. Submission Requirements

A. Submission of RFP Materials

"RFP materials" means anything submitted by a proposer to DHS/TCS in response to this RFP, including, but not limited to, written questions about this RFP, the mandatory Letter of Intent, and the proposal. It is essential that proposers use the following address formats, exactly as shown, for submission of RFP materials (except do not fax the proposal):

United States (U.S.) Mail	Courier (e.g., United Parcel Service, Federal Express)	Fax (may be used for all RFP materials except the proposal)
RFP 04-35219 Tanya Farrar Department of Health Services Tobacco Control Section MS 7206 P.O. Box 997413 Sacramento, CA 95899-7413	RFP 04-35219 Tanya Farrar Department of Health Services Tobacco Control Section MS 7206 1616 Capitol Avenue Suite 74.516 Sacramento, CA 95814 (916) 449-5500	RFP 04-35219 Tanya Farrar Department of Health Services Tobacco Control Section Fax: (916) 449-5505

No matter which method of delivery is used, proposers are responsible for confirming the receipt of submissions by the TCS prior to the deadline.

B. Mail Processing Warning

DHS/TCS' internal processing of U.S. mail may add 48 hours or more to the delivery time. Failure to include the complete address, with the correct mail stop (MS) number may add a week or more to the delivery time. RFP materials must be received at DHS/TCS by the deadline; therefore, proof of delivery from the DHS Mailroom will not be considered proof of timely delivery to DHS/TCS. Failure to follow the U.S. mail address format in II.A above may result in mail being returned to the sender.

If RFP materials are to be delivered in person, allow sufficient time to locate on-street, metered parking, and to check in at the security desk. Refer to http://www.dhs.ca.gov/tobacco/html/directions.htm if your delivery person needs directions. Your courier should ask the security guard to call Tanya Farrar or Kurt M. Fowler at (916) 449-5500 to request acceptance of a proposal delivery.

C. Proposer Questions

1. Timely Notification

Immediately notify DHS/TCS if you need clarification about the services sought or have questions about this RFP instructions or requirements. At its discretion, DHS/TCS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with this RFP or fail to seek clarification and/or correction of this RFP shall submit a proposal at their own risk.

DHS/TCS will summarize all general questions and issues raised and provide answers at the Pre-proposal Teleconference. To the extent practical, questions shall remain as submitted. However, DHS/TCS may consolidate and/or paraphrase similar or related questions.

2. RFP Question Format

a. Provide the name of the person submitting the question and the name, address, and telephone number of the proposer's firm.

b. A description of the subject or issue in question or discrepancy found.

c. RFP section, page number, and other information useful in identifying the specific problem or issue in question.

d. Remedy sought, if any.

3. Questions Deadline

DHS/TCS will accept written or faxed questions received by 5:00 p.m. on November 12, 2004. *Proposers are encouraged to submit questions immediately, rather than waiting until the submission deadline.*

4. How to Submit Questions

See "Submission of RFP Materials" starting on page 8.

5. Verbal Questions

Except as noted at "Pre-proposal Teleconference" below, verbal questions will not be accepted.

D. Pre-proposal Teleconference

DHS/TCS will conduct a voluntary Pre-proposal Teleconference at 9:00 a.m. on November 19, 2004.

To obtain a reservation to participate in the Pre-proposal Teleconference, fax your reservation request on your firm's business letterhead to Tanya Farrar at (916) 449-5505, by 5:00 p.m. on November 12, 2004. Include the following in your request for a reservation: Names of everyone from your firm who will participate, your firm's name, and the telephone number DHS/TCS should call in case of teleconference technical difficulties.

Dialing instructions and the access code will be provided in the response to your reservation request. Call Tanya Farrar at (916) 449-5459 if you have difficulty obtaining access to the Pre-proposal Teleconference.

Prospective proposers that intend to submit a proposal are encouraged to participate. It shall be each prospective proposer's responsibility to join the teleconference promptly at 9:00 a.m. DHS/TCS reserves the right not to repeat information for participants that join the teleconference after it has begun.

The purpose of the Pre-proposal Teleconference is to:

1. Allow prospective proposers to ask questions about the services sought, this RFP requirements, and/or RFP instructions.

2. Allow DHS/TCS to provide answers to general questions and questions received before and during the teleconference.

Spontaneous verbal remarks provided in response to questions are considered informational and will not be considered a modification of the requirements of this RFP unless later confirmed in writing. If the response to a question is deemed by DHS/TCS to modify the requirements of this RFP, a written addendum to this RFP will be available for downloading from http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm as soon as practical after the Pre-proposal Teleconference.

Carefully review this RFP before the Pre-proposal Teleconference date to familiarize yourself with the qualification requirements, SOW, and proposal content requirements. Prospective proposers are encouraged to have their copy of this RFP available for viewing during the teleconference.

Proposers are responsible for their costs to participate in the teleconference and respond to this RFP. These costs cannot be charged to DHS/TCS or included in any cost element of the Proposer's price offering.

E. Mandatory Letter of Intent

1. General Information

Firms that intend to submit a proposal are ***required*** to indicate their intention by sumitting a Letter of Intent and Conflict of Interest Certification. Failure to submit the ***mandatory*** Letter of Intent and the Conflict of Interest Cerfication will result in proposal rejection. The Letter of Intent is not binding, and prospective proposers are not required to submit a proposal merely because a Letter of Intent is submitted.

2. Format of the Letter of Intent

The Letter of Intent shall be printed on the proposer's letterhead and signed by an official who is authorized to bind the agency financially and contractually. It shall include the proposer's legal name, address, telephone and fax numbers, e-mail address, and a brief description of the proposer's agency. It shall also include the name, title, address, telephone number, and e-mail address of the person who will be the proposer's point of contact throughout all stages of this RFP.

The Conflict of Interest Certification, Attachment 7, must be completed and submitted with the Letter of Intent.

3. Submitting a Letter of Intent

Regardless of delivery method, the mandatory Letter of Intent and Conflict of Interest Certification must be received at TCS by 5:00 p.m. on November 30, 2004.

See "Submission of RFP Materials" starting on page 8.

F. Proposal Format and Content Requirements

1. General Instructions

a. Each firm or individual may submit only one proposal.

For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one proposal, DHS/TCS will reject all proposals submitted by that firm or individual.

More than one proposer may use the same subcontractors and/or independent consultants.

b. Develop proposals by following all RFP instructions and/or clarifications issued by DHS/TCS in the form of question and answer notices, clarification notices, or RFP addenda. It is the proposer's responsbility to check for notices and addenda for this RFP at http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm at least weekly until the due date for proposals.

c. Before submitting your proposal, seek timely written clarification of any requirements or instructions that you believe to be vague, unclear, or that you do not fully understand.

d. In preparing your proposal response, all narrative portions should be straightforward, detailed, and precise. DHS/TCS will determine the responsiveness of a proposal by its quality, not its volume, packaging, or colored displays.

e. Arrange for the timely delivery of your proposal package(s) to the address specified in this RFP.

2. Format Requirements

a. Submit one (1) original proposal and nine (9) copies.

1) Write “Original” on the original proposal.

2) Each copy of the proposal must be complete, including copies of all of the required attachments and documentation submitted in the original.

b. Format the narrative portions of the proposal as follows:

1) Use one-inch margins at the top, bottom, and both sides, except where required forms allow smaller margins.

2) Use a font of not less than 12 point size throughout, including all titles, text, and any footnotes or citations. Exception: if a format is required by the State that contains a smaller font, proposers should use that size font to comply with the format or complete the form. For example, the column titles for the Client List on Attachment 9 may be as small as 8 point font size, if necessary, to fit all columns on letter size pages.

3) Print pages on letter size (8½ by 11 inches) white bond paper. If your proposal contains double-sided copies, each side of the paper will be counted as one page, with regard to page limitations specified in the next section for certain parts of your proposal's contents.

4) Paginate your entire proposal consecutively, with the exception of those items placed in the Forms Section and Appendix Section. Do not paginate each section separately, i.e., do *not* restart numbering each section at page 1. If double-sided copies are submitted, number each side of the paper as a separate page. It is not necessary to paginate items in the Forms Section or Appendix Section.

5) Place the proposer's name in a header or footer on every page. If the proposer's name is not already entered elsewhere on a completed certification or form, add it to a header, footer, or signature block.

c. Bind each proposal in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.

d. Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.

e. All original RFP attachments that require a signature must be signed in ink, preferably in a color other than black. Place the original signed attachments in the proposal set marked “Original.” This RFP attachments and other documentation placed in the extra nine (9) copies may have photocopied signatures.

f. Do not mark any portion of your proposal response, any RFP attachment, or other item of required documentation as “Confidential” or “Proprietary.” DHS/TCS will disregard any language purporting to render all or portions of a proposal confidential or proprietary.

g. A page limit is indicated for some sections. Pages exceeding the limits will be removed, so reviewers will not see them.

3. Content Requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal in the following order:

a. *Proposal Cover Page*

A person authorized to bind the Proposer must sign the Proposal Cover Page (Attachment 1). If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

b. *Table of Contents*

Use Attachment 2 of this RFP to prepare a Proposal Table of Contents.

c. *Executive Summary (**2-page limit**)*

In preparing your Executive Summary, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in your own words, the following information.

1) Your understanding of the SOW and the importance of this project.

2) The results that you expect to achieve.

3) How you will effectively integrate this project into your firm’s current obligations and existing workload.

4) Why your firm should be chosen to undertake this work at this time.

d. *Agency Capability (**5-page limit**)*

1) Proposer's History: Include a brief history of your firm, including:

a) Date of establishment of the California-based office that will service the DHS/TCS account. If applicable, explain any changes in your business history or organizational structure that will assist DHS/TCS in determining your qualifications.

b) A description of your firm's goals that are relevant, closely related, or will complement this project.

c) Respond "yes" or "no" to the following questions within your description of the history of your firm, and elaborate as specified for each "yes" response:

i. Has your firm, or any key member of your firm, been involved in any litigation pertaining to your firm's services since January 1, 2000? This includes litigation filed against your firm and by your firm. If so, describe the litigation and the outcome.

ii. Has your firm filed for bankruptcy since January 1, 2000?

iii. Has your firm been unable to complete a contract, been removed from a contract, or been replaced during a contract period since January 1, 2000? If so, explain what happened and why.

iv. Elaboration for "yes" responses will not be counted toward the 5-page limit for Agency Capability.

2) Similar Clients: Choose up to three (3) clients from your Client List, Attachment 9, that are similar in nature to the public relations anti-tobacco campaign. (These may be different from the clients you identify as Client References for paragraph 4 below.) Briefly describe results of your firm's work for these clients, highlighting significant accomplishments of the personnel to be assigned to the tobacco control contract. Your description should include your firm's experience with the following:

a) Providing account service, including day-to-day communication with the client, invoice preparation and expense documentation, budget preparation and monitoring, current event and issues monitoring, record keeping, materials archiving, progress reports, and subcontractor and consultant management (if subcontractors or consultants will be responsible for any portion of the SOW);

b) Providing crisis management, including preparing client for potential crises, rapid response during a crisis, and recovery after a crisis;

c) Conducting spokesperson training;

d) Providing media relations services, including press release, fact sheet, and press kit development, statewide media coverage pitching, B-roll production, radio and video news releases, and news feeds; and

e) Performing social marketing activities aimed at achieving lifestyle changes or specific behavior changes for large population segments (e.g., young adults 18 to 24 years of age, persons of low socio-economic status, non-English-speaking populations).

3) Working Relationships: Briefly describe any experience that demonstrates your firm's ability to establish and maintain effective working relationships with government entities, local community based organizations, private nonprofit organizations, and media partnerships (e.g., advertising agencies, other public relations agencies).

4) Identify three client references that your firm has serviced since January 1, 2000, that can confirm their satisfaction with your services and confirm whether your firm provided timely and effective services or deliverables. Use the Client References, Attachment 4, for this purpose. Place the completed Client References form in the Forms section of your proposal.

e. *Project Case Studies*

1) Scenario No. 1 ***(10-page limit)***

During the past five years, the tobacco industry has utilized an aggressive public relations campaign in an attempt to improve its image in the eyes of the public. They have tried to position themselves as part of the tobacco-use solution, while simultaneously shifting the responsibility for "choosing" to smoke away from the tobacco industry and onto smokers and parents. The implied messages from the tobacco industry are:

- We told you smoking is bad, so it is your problem if you are still smoking.
- We advised you to talk to your children about smoking, so if your child starts smoking, it is your parenting that is at fault, not us.

Develop a public relations strategic plan for countering the tobacco industry's image campaign and strengthening support for California's antismoking efforts.

2) Scenario No. 2 ***(10-page limit)***

While great progress has been made toward becoming a tobacco-free state, 4 million adult Californians still smoke. Demographically, the largest group of smokers is white men aged 25–44. The smoking prevalence of non-Hispanic white men in this age group in 2003 was 20.5 percent, compared to 15.5 percent among the rest of California adults. Not surprisingly, attitudes of this subgroup reflect weaker support for policies that would increase limitations on the advertising and sale of tobacco. A few examples:

Attitude statement	Percent of white men aged 25–44 who agree	Percent of the rest of CA adults who agree
Advertising tobacco products at sports and athletic events should be banned.	57.6	78.2
The ban on cigarette advertising should be extended to all print and electronic media.	56.6	72.5
The tobacco industry should be forced to put stronger warnings on all their potentially harmful products.	63.2	83.1

Develop public relations recommendations for outreach to this demographic group, and identify strategies and activities that will gain their commitment to becoming tobacco-free.

3) Project Case Studies Content

Prepare each Project Case Study as a stand-alone portion of your proposal. Do not make reference in one Project Case Study to the other. If something applies to both Project Case Studies, repeat it in its entirety.

The narrative for each case study should cover all of the following points:

a) Briefly explain the overall approach that you will use to accomplish the goals.

b) Outline your analysis of the current situation and describe what research you used to formulate your analysis.

c) Prepare a Work Order for each case study, using the instructions in section G of Exhibit A and the Work Order form, Exhibit A Attachment 1.

d) Prepare a detailed timeline or timetable for accomplishing the Work Order.

e) Explain your rationale for the particular approaches, methods, and strategies that are proposed (e.g., proven success or past effectiveness).

f) If applicable, explain what is unique, creative, or innovative about your proposed approaches and/or methods.

g) Explain/describe how you would evaluate the outcomes of your proposed Project Case Study campaign.

h) If applicable, identify the Contractor's and/or State's actions and/or responsibilities that you included in your Project Case Study that you believe would be necessary to ensure successful performance, but you believe have been omitted from DHS/TCS' SOW, Exhibit A. It will be at the sole discretion of DHS/TCS whether any such identified omission(s) will be added to the SOW in the final contract.

f. *Samples of Work and Case Histories*

Submit samples of work and case histories, developed and carried out primarily by staff to be assigned to this account, for public relations activities services performed after January 2000.

1) Writing Ability: Provide two samples of press and public relations materials. These may include press releases, brochures, opinion editorials, direct mail, research, or any other press or public relations materials.

2) Media Relations Experience ***(1-page limit** for each description)*: Provide two (2) descriptions of media relations activities such as work in securing news and editorial coverage, placing feature articles, and arranging editorial board meetings.

3) Social or Public Policy or Issue Campaign Experience ***(2-page limit)***: Highlight social or public policy or issue campaign experience by providing a case history that includes the type of campaign, goals and objectives, preparatory research, the work accomplished, evaluation of success meeting the goals and objectives, and, if applicable, the involvement of one or more community groups.

4) Crisis Communications ***(2-page limit)***: Provide a case history involving the practice of public relations crisis communications.

5) Special Event Development Experience ***(1-page limit)***: Describe a special event that was planned and executed by your agency.

6) Preparation of Media Tools: Provide two samples of media tools. These may include, but are not limited to, Video News Releases, Radio News Releases, B-roll, and/or speakers' bureau materials.

g. *Transition Plan (**1-page limit**)*

1) All proposers must describe a plan for coordinating the transfer of existing activities from a previous contractor. Address any foreseeable transition complications and potential methods for dealing with or resolving transition complications to minimize the disruption of existing services. The content should address how the proposer accomplishes contract transitions in general.

2) If applicable, the State will require a new contractor to submit a transition plan no later than ten (10) days after the contract start date, for the Contract Manager's approval.

h. *Management Plan (**3-page limit**, excluding the organizational chart and financial statements which have no page limit)*

1) Describe how you will effectively coordinate, manage, and monitor the work of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities, and functions are completed effectively and timely.

2) Describe the fiscal accounting processes and budgetary controls you will use to ensure the responsible use and management of contract funds and accurate invoicing. Include at a minimum, a brief description of all of the following:

   a) How the costs incurred under this project will be appropriately accounted for and only applicable project expenses will be billed to DHS/TCS (e.g., use of unique account/project codes).

   b) Your fiscal reporting and monitoring capabilities (e.g., spread sheets, automated fiscal reports, quality controls, checks and balances) to ensure contract funds are managed responsibly.

   c) Describe the procedures your firm will take to ensure that DHS/TCS receives satisfactory products and services at low costs, i.e., how will your firm strive to obtain the best value at the lowest cost?

d) Proposed billing or invoicing frequency (not more frequently than once per month). Electronic billing will not be accepted.

3) Organizational Chart: The proposer shall provide an organizational chart of its firm indicating location and supervisory responsibilities of managers and staff assigned to the DHS/TCS account. This should be a complete, current, and dated organizational chart of the proposer's personnel who will be responsible for carrying out the contract work. Indicate the percentage of each individual's total hours that will be allocated to the DHS/TCS account for both filled and vacant positions. The relationships between the proposer and any proposed subcontractors and consultants should be indicated. If the proposer has multiple office locations (including holding companies, parent companies, and affiliate companies), the organizational chart should indicate the relationships between all offices. If it is more convenient for the proposer, separate organizational charts of the corporate structure and the account personnel may be provided, as long as the illustration of management and supervision is clear. Note if any senior management staff will be located in an office other than the California-based office that will service the DHS/TCS account. Place the organizational chart or charts in the Appendix section of your proposal.

4) Financial Statements: Copies of financial statements for the past two years or most recent 24-month period (i.e., annual income statements and quarterly/annual balance sheets), including a statement signed by the Chief Financial Officer certifying that the financial statements are accurate and complete. Place the financial statements in the Appendix section of your proposal.

i. *Project Personnel*

1) In this section, describe your proposed staffing plan. In the staffing plan, include at a minimum:

a) Position titles for all proposed employees (persons on your payroll) who will work on the DHS/TCS account.

b) Number of personnel in each position.

c) By position, indicate the full time equivalent or percentage of staff time devoted to this project (e.g., full time = 100 percent, half time = 50 percent, 3/4 time = 75 percent). This should match the percentages indicated on the organizational chart required by paragraph h.3) above.

d) For any key account staff positions that will be filled later, include a job description or duty statement for each position title or classification that will perform work under this project. The job descriptions must indicate the typical tasks and responsibilities that you will assign to the position and may include desired or required education and experience. Place all job descriptions or duty statements at the end of the Project Personnel section.

e) For personnel already employed by your firm who will be assigned to the tobacco control account:

i. Identify the name and position title.

ii. Briefly describe each person's expertise, capabilities, and credentials.

iii. Emphasize any relevant past experience in directing, overseeing, coordinating, or managing social marketing or issues campaigns.

f) Include a resume for each key staff person (professional, managerial, or supervisory) who will exercise a major administrative, policy, or consulting role in carrying out the contract work. Place staff resumes in the Appendix section. Resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, or age.

2) Briefly describe the processes or procedures that you will use to ensure that vacancies are filled expeditiously and that services are continued despite the presence of vacancies.

3) If subcontractors (including independent consultants) will be used to perform contract services, proposers must do the following at the time of proposal submission:

a) Indicate if you have received a commitment from any subcontractor(s) or independent consultant(s) to perform the work or if you will recruit them later.

i. For each potential subcontractor and independent consultant who has provided a commitment to provide services to the proposer for the anti-tobacco campaign SOW, include:

- Full legal name of subcontractor or consultant.

- A job description or duty statement outlining the duties and functional responsibilities that you intend to assign to the subcontracted firm or independent consultant.

- A brief explanation as to why you chose the subcontracted firm or independent consultant. Include information such as expertise, knowledge, capabilities, past experience, accomplishments, availability, reasonableness of rates, and prominence in a field or specialty.

- A letter of commitment, signed by an official representative of each subcontracted firm or independent consultant. Place all subcontractor and/or consultant letters of commitment in the Appendix section.

ii. For subcontractor and/or independent consultant openings that have not been filled before the proposal is submitted to DHS/TCS or are TBD after the contract is executed, identify the functions, activities, and responsibilities that you intend to assign to each subcontractor and/or independent consultant.

iii. The selection of subcontractors and subcontract language may be subject to DHS/TCS review and approval. See Exhibit D(C), Subcontract Requirements.

j. *Cost Section*

The Cost Section's two components are the Budget Summary and the Cost Proposal, Attachment 10. This attachment is provided as a blank Excel file with RFP 04-35219 Supplemental Materials at http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm. Place the completed Attachment 10 in the Forms section of your proposal.

1) General Instructions

a) All Cost Section pages must be typed or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typed adjacent to the error. The person who signs the Cost Proposal should initial all corrections, preferably in blue ink.

b) When completing Attachment 10, include all estimated costs to perform the services for the 39-month base period of the contract, including applicable annual rate adjustments attributable to merit increases, profit margins, and inflation or cost of living adjustments.

2) Budget Summary

Based on the following tentative budget allocations, provide a budget summary, including proposed budgets for specific campaigns or target audiences, and subcontractors' and consultants' budgets, if any.

Budget Period	Amount
March 1, 2005 through June 30, 2005	$500,000
July 1, 2005 through June 30, 2006	$1,000,000
July 1, 2006 through June 30, 2007	$1,000,000
July 1, 2007 through June 30, 2008	$1,000,000

3) Cost Proposal

The Cost Proposal portion of Attachment 10 lists specific services which are likely to be required for the tobacco control public relations campaign. The services listed will not be required by the contract unless they are confirmed in approved Work Orders. The list of services in **Column A** of the Cost Proposal represents DHS/TCS' best effort to anticipate possible activities that complement the SOW. Proposers should further describe any service in Column A which does not clearly identify the service that would be provided by the proposer during performance of the SOW.

For each service in Column A, provide the following information:

a) **Column B**: whether or not your agency will charge for the service under the contract. If a service will not be billed according to one of the options in Column D (hourly rate, monthly fee, or none), indicate the amount of the charge or the method for determining the charge.

b) **Column C**: whether the service will be performed in-house or provided by a subcontractor or consultant. For the purposes of this Cost Proposal, services and products obtained by the contractor from vendors and suppliers (other businesses that provide services or supplies without a formal subcontract or consultant agreement with the proposer) should be considered “in-house.” In other words, any billable costs not provided by a subcontractor or consultant should be categorized as “in-house” in Column C.

c) **Column D**: if there is a charge, at what fee or hourly rate. If an item will be charged at net cost, with no additional fee, indicate “none” in Column D.

d) For more specialized services, a flat fee is acceptable. If quoting a fee, please be clear about exactly what the fee includes.

4) Cost Section Review

The Budget Summary and the Cost Proposal will be reviewed based on cost-effectiveness and cost competition and the degree to which budget allocations demonstrate an understanding of DHS/TCS' goals and priorities and the SOW.

The response to this Cost Section may be incorporated verbatim into the contract with the successful proposer. Therefore, it is in the interest of both DHS/TCS and the proposer to be as clear and specific as possible.

k. *Forms and Appendices*

Refer to Attachment 2, Proposal Table of Contents, for the order in which your proposal's Forms and Appendices should be placed.

III. ORAL PRESENTATION

The following information on the oral presentation component is included to help proposers begin organizing their ideas.

A. Notification

At the sole discretion of DHS/TCS, proposers may be asked to give an oral presentation. DHS/TCS may select up to three (3) top scoring proposals from the technical/cost review (Step II) as finalists for oral presentations. That number may be adjusted in the event of tied proposal scores in Step II of the review. Finalists selected for the oral presentation phase will be notified as soon as practical after completion of Step II scoring. The proposal review panel may also conduct a brief question-and-answer period following the oral presentation.

B. Time and Location

The entire oral presentation and question-and-answer period will be approximately three (3) hours. If DHS/TCS requires oral presentations, they will be conducted in Sacramento. The proposer's anticipated anti-tobacco account managers/ supervisors, lead account staff, and subcontractors, if any have been identified, should participate in the presentation.

C. Content of the Oral Presentation

DHS/TCS will notify finalists to prepare one or both of the following:

- An oral presentation based on one of the Project Case Studies submitted as a part of the proposer's technical proposal (see "Project Case Studies" starting on page 15).
- An oral presentation based on an alternative case study, which will be described in the finalists' notification.

Oral presentations should include:

1. The general approach of the project case study.
2. The objectives and strategies of the project.
3. How success of the project will be determined.
4. The reasons your firm should be chosen to carry out this RFP's SOW.

IV. REVIEW PROCESS

A. Summary of this RFP Review Process

For the review purposes of this RFP, DHS/TCS intends to award a contract for public relations to the one (1) agency whose proposal is found to be the most responsive to the requirements of this procurement.

A two- or three-step review process will be used. In Step I, all proposals will be reviewed to determine whether they meet the basic qualification requirements. This will result in a “pass” (all basic qualification requirements are met) or “fail” (one or more basic qualification requirements were not met) determination.

Proposals that pass the basic qualification requirements will advance to Step II and be reviewed for technical merit and responsiveness of the cost proposal. At the end of the Step II review, DHS/TCS will either award the contract to the highest scoring proposer or choose two or more of the highest scoring proposers to advance to Step III, Oral Presentations.

If DHS/TCS decides to conduct oral presentations, finalists will be given instructions in a letter from DHS/TCS, as soon as practical after Step II scoring has been completed. The contract will be awarded to the agency with the highest combined score, in accordance with "Final Selection" starting on page 27.

B. Proposal Review Process

Conciseness, clarity, and completeness of the proposal are prerequisites. All proposal components required by this RFP will be considered in the evaluation process, and proposals not providing all requested information will be scored accordingly.

See "Proposal Format and Content Requirements" starting on page 11 for information regarding the appearance and format of proposals. The proposal review process will be conducted in two or three steps.

Step I Qualification Requirements

All timely proposals will be reviewed to determine whether qualification requirements starting on page 3 are met. Proposals that do not meet all qualification requirements will be considered nonresponsive and will be rejected.

In Step I, proposals will be rated Pass or Fail. Only those proposals which receive a Pass rating in Step I will be evaluated in Step II.

Step II Technical and Cost Proposal Review

For Step II, the proposal consists of two parts: a Technical Proposal and a Cost Proposal. Each will be evaluated on their technical and cost merits by a panel of reviewers. Five (5) components have been defined for scoring proposals. These components and the anticipated maximum number of points that may be received for each component are shown below, so proposers can see the relative emphasis DHS/TCS will place on the various components when scoring proposals. Section II.F, "Proposal Format and Content Requirements," specifies what to address for each scoring component.

Technical Proposal

Executive Summary and Agency Capability	15
Project Case Studies	40
Samples of Work and Case Histories	20
Transition Plan and Management Plan	5
Project Personnel	20
Subtotal	*100*
Budget Summary and Cost Proposal	40
Step II Total Points Possible	*140*

Proposals must earn at least 90 points in Step II in order to advance to Step III.

Step III Oral Presentation

Step III is optional, at the sole discretion of DHS/TCS.

Step III consists of an oral presentation by the proposer and a brief question-and-answer period. DHS/TCS will select up to three (3) top scoring proposals from Step II for the Step III finalist phase. These finalists will be given further instructions about preparing an oral presentation at the time they are notified that they have been selected as a finalist. In the event of tied scores in Step II, DHS/TCS may adjust the number of finalists. An overview of the oral presentation starts on page 24.

The maximum number of points to be awarded for the oral interview or oral presentation is 60.

C. Final Selection

If Step III, Oral Presentations, is not conducted, the points from the technical proposal review and the cost proposal review (Step II) will determine the highest score, with 140 points possible. If Step III is conducted, the points from the technical proposal, the cost proposal, and the oral presentation (Steps II and III) will be combined for a total possible score of 200 points. The contract will be awarded to the proposer with the highest total score.

If two (2) or more finalists are tied, the finalist with the highest cost proposal score will be awarded the contract. If two (2) or more of the highest cost proposal scores are also tied, DHS/TCS, at its sole discretion, may request from the tied finalists a best and final offer.

D. Rejection of All Proposals

Issuance of this RFP in no way constitutes a commitment by DHS/TCS to award a contract. DHS/TCS reserves the right to reject any or all proposals or portions of proposals received in response to this RFP, or to cancel this RFP if it is in the best interest of DHS/TCS to do so.

V. CONTRACT AWARD

A. Notice of Intent to Award a Contract

A Notice of Intent to Award a Contract identifying the selected Contractor will be posted in the DHS/TCS' Contract Management Office for a period of at least five (5) working days prior to the contract award date. All finalists that participated in Step II of the review, Technical and Cost Proposals, will be notified in writing regarding the contract award decision, and a notice will also be posted at the DHS/TCS web site http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm.

B. Appeals

Appeals to the contract award must be received by the Hearing Officer or his designee, by mail or fax, within five (5) working days after the Notice of Intent to Award a Contract has been faxed to each finalist. Only agencies that submit a proposal may appeal the contract award. Appeals will be limited to the grounds that DHS/TCS failed to apply correctly the standards for reviewing proposals as specified in this RFP. The proposer shall file a full and complete written appeal, including the issue(s) in dispute, the legal authority or other basis for the proposer's position, and the remedy sought. Appeals shall be addressed to the Hearing Officer as follows:

U.S. Mail	Courier (e.g., Federal Express)
Donald O. Lyman, M.D. c/o Tobacco Control Section Department of Health Services MS 7206 P.O. Box 997413 Sacramento, CA 95899-7413 FAX: (916) 449-5505	Donald O. Lyman, M.D. c/o Tobacco Control Section Department of Health Services MS 7206 1616 Capitol Avenue, Suite 74.516 Sacramento, CA 95814 TELEPHONE: (916) 449-5500

The Hearing Officer or his designee, at his sole discretion, may hold oral hearings, have a hearing on written briefs, or both. The decision of the Hearing Officer will be final.

C. Contract

The successful proposer shall enter into a formal contract with the DHS/TCS in order to receive payment for services rendered. The contract will incorporate by reference portions of this RFP, published addenda, if any, and the successful proposer's response to this RFP. The contents of the proposal of the successful proposer will become contractual obligations of the proposer. In the case of any inconsistency or conflict between the specific provisions of the contract, incorporated portions of this RFP and addenda, and the proposer's proposal, such inconsistency or conflict will be resolved by giving precedence to the specific provisions of the contract, then to this RFP and addenda, and then to the proposer's proposal.

The successful proposer shall enter into a contract with DHS/TCS no later than 20 State working days after the proposer receives the contract from DHS.

In the event that DHS/TCS is unable to execute a contract with the initial successful proposer, or the contract is terminated for cause within the first 12 months, DHS/TCS reserves the right to award a contract to the proposer that earned the next highest score and met the requirements specified in this RFP.

D. Contract Forms and Exhibits

State contract forms and exhibits are incorporated by reference as an Appendix to this RFP. See http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm to download the Appendix. Proposers should read these documents carefully to ensure that they will be able to comply with State contract terms. The terms and conditions in the contract forms and exhibits are not negotiable. The contract resulting from this RFP will be prepared on a “Standard Agreement” (Form STD 213). The contract will include the following:

1. Exhibit A1, Standard Agreement, STD 213.
2. Portions of RFP 04-35219, incorporated by reference.
3. Exhibit A, Scope of Work.
4. Exhibit A Attachment 1, Work Order Form.
5. The Contractor’s response to this RFP, including the Budget Summary and Cost Proposal.
6. Exhibit B, Budget Detail and Payment Provisions.
7. Exhibit B Attachment 1, Prompt Payment Act.
8. Exhibit C, General Terms and Conditions.
9. Exhibit D(C), DHS/TCS' Special Terms and Conditions.
10. Exhibit E, Additional Provisions.
11. Exhibit F, Contractor's Release.
12. Exhibit G, Travel Reimbursement Information.
13. Other State standard procedures or contract terms.

Attachment 1

RFP 04-35219
Proposal Cover Page

Name of Proposing Firm *(Legal name as it would appear on a contract)*	
Mailing Address *(Street address, P.O. Box, City, State, ZIP Code)*	
Person authorized to act as the contact for this firm in matters regarding this proposal:	
Printed Name *(First, Last)*:	Title:
Telephone number:	Fax number:
( )	( )
E-mail:	
Person authorized to obligate this firm in matters regarding this proposal or the resulting contract:	
Printed Name *(First, Last)*:	Title:
Telephone number:	Fax number:
( )	( )
E-mail:	
(CORPORATIONS) Name/Title of person authorized by the Board of Directors to sign this proposal on behalf of the Board:	
Printed Name *(First, Last)*:	Title:
Signature of Proposer or Authorized Representative	Date:

RFP 04-35219
PROPOSAL TABLE OF CONTENTS

Attachment 2

RFP 04-35219
PROPOSAL TABLE OF CONTENTS

Required Attachment/Certification Checklist

Qualification Requirements: I certify that my firm meets the following requirements:		DHS Use
☐ Yes ☐ N/A	My firm possesses at least three consecutive years of experience showing full-service public relations capability, including account service, crisis management, spokesperson training, media relations, ethnic and cultural diversity, young adult (18- to 24-year-old) outreach, client counsel, and strategic planning. That experience occurred within the past five years.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has read and is willing to comply with the terms, conditions, and contract exhibits incorporated by reference as an Appendix to the RFP, appearing at http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has a currently operating, California-based office to service the DHS/TCS account that has been in business in California for the past three (3) consecutive years, i.e., since December 17, 2001, or longer.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has at least $4 million in gross annual billings per year in calendar years 2002 and 2003 from the California-based office which would service the DHS/TCS account.	☐ Yes ☐ No
☐ Yes ☐ N/A	(Corporation) My firm is in good standing and qualified to conduct business in California. [Check "N/A" if not a Corporation.]	☐ Yes ☐ No
☐ Yes ☐ N/A	(Nonprofit) My firm is qualified to claim nonprofit status. [Check "N/A" if not a nonprofit organization.]	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has a past record of sound business integrity and a history of fulfilling contractual obligations. My firm authorizes the State to confirm this claim.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm is financially stable and solvent and has adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm is borrowing any or all of the monies necessary to meet initial expenses between the start of the contract period and receipt of the first payment, and a Letter of Commitment from my firm's creditor is attached.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has no conflict of interest and has submitted the required certification and documentation necessary to prove this claim. See Attachment 7.	☐ Yes ☐ No
☐ Yes ☐ N/A	My firm has certified via Attachment 8 that its proposal response is not in violation of Public Contract Code Section 10365.5 and has, if applicable, identified previous consultant services contracts that were related in any manner to the services, goods, or supplies being acquired in this procurement.	☐ Yes ☐ No

Technical Proposal format and content		DHS Use
☐ Yes ☐ N/A	My firm has complied with the Technical Proposal format requirements, and my firm is submitting one original Technical Proposal and nine (9) copies. My proposal is assembled in the following order:	☐ Yes ☐ No
☐ Yes ☐ N/A	Proposal Cover Page (RFP Attachment 1)	☐ Yes ☐ No
☐ Yes ☐ N/A	Table of Contents (RFP Attachment 2)	☐ Yes ☐ No
☐ Yes ☐ N/A	Executive Summary	☐ Yes ☐ No
☐ Yes ☐ N/A	Agency Capability	☐ Yes ☐ No
☐ Yes ☐ N/A	Project Case Studies	☐ Yes ☐ No
☐ Yes ☐ N/A	Samples of Work and Case Histories	☐ Yes ☐ No
☐ Yes ☐ N/A	Transition Plan	☐ Yes ☐ No

(Continued on next page)

Technical Proposal format and content (continued)		DHS Use
☐ Yes ☐ N/A	Management Plan	☐ Yes ☐ No
☐ Yes ☐ N/A	Project Personnel	☐ Yes ☐ No
Forms section with the following attachments/forms:		**DHS Use**
☐ Yes ☐ N/A	Attachment 3, Required Attachment/Certification Checklist	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 4, Client References. My firm authorizes the State to contact these references.	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 5, RFP Clause Certification	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 6, CCC 304 Certification	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 7, Conflict of Interest Certification	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 8, Follow-on Consultant Contract Disclosure. Disclosure attachment is present when applicable.	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 9, Client List. My firm authorizes the State to confirm information provided on this list.	☐ Yes ☐ No
☐ Yes ☐ N/A	Attachment 10, Budget Summary and Cost Proposal form. Form is signed. Corrections, if any, have been initialed. All cost figures have been double-checked for accuracy.	☐ Yes ☐ No
Appendix section with the following documentation:		**DHS Use**
☐ Yes ☐ N/A	(Corporation) Copy of a Certificate of Status issued by California's Office of the Secretary of State or submit a downloaded copy of the firm's active on-line status information from the California Business Portal website: http://www.ss.ca.gov/business/business.htm [Check "N/A" if the proposer is not a corporation.]	☐ Yes ☐ No
☐ Yes ☐ N/A	(Nonprofit) Documentation proving my firm's eligibility to claim nonprofit and/or tax exempt status. [Check "N/A" if the proposer is not claiming nonprofit status.]	☐ Yes ☐ No
☐ Yes ☐ N/A	An organization chart. Use multiple 8½ x 11" pages, if necessary.	☐ Yes ☐ No
☐ Yes ☐ N/A	Copies of financial statements for the past two years or most recent 24-month period (i.e., annual income statements and quarterly/annual balance sheets), including a statement signed by the Chief Financial Officer certifying that the financial statements are accurate and complete.	☐ Yes ☐ No
☐ Yes ☐ N/A	Documentation of at least $4 million in gross annual billings per year in calendar years 2002 and 2003 from its California-based office which would service the DHS/TCS account. Check this block ☐ if the financial statements above serve as this documentation.	☐ Yes ☐ No
☐ Yes ☐ N/A	Resumes of the Proposer's professional staff (i.e., managers, supervisors, technical experts) who will play a major administrative, policy, or consulting role in carrying out the project work.	☐ Yes ☐ No
☐ Yes ☐ N/A	Letters of commitment, signed by each pre-identified subcontractor and independent consultant or applicable explanation. [Check "N/A" if you will not use subcontractors or consultants or if you have not pre-identified any such entities.]	☐ Yes ☐ No

Name of Firm:	
Printed or Typed Name/Title of Signer:	
Signature:	Date:

Attachment 4

Client References

List 3 clients served in the past 5 years for which you provided services similar to the Scope of Work in this Request for Proposals. List the most recent first.

REFERENCE 1

Name of Firm			
Street address	City	State	Zip Code
Contact Person		Telephone number ( )	
Dates of service		Value or cost of service	
Brief description of service provided			

REFERENCE 2

Name of Firm			
Street address	City	State	Zip Code
Contact Person		Telephone number ( )	
Dates of service		Value or cost of service	
Brief description of service provided			

REFERENCE 3

Name of Firm			
Street address	City	State	Zip Code
Contact Person		Telephone number ( )	
Dates of service		Value or cost of service	
Brief description of service provided			

If three references cannot be provided, explain why:

Attachment 5

RFP Clause Certification

I, the official named below, certify under penalty of perjury that I am duly authorized to legally bind the prospective Contractor to the certification clause below, “Certificate of Independent Price Determination.” This certification is made under the laws of the State of California.

Name of Bidding Firm (Printed)	Federal ID Number
By *(Authorized Signature)*	
Printed Name and Title of Signer	
Date Executed	Executed in the County of:

Certificate of Independent Price Determination

a. The prospective proposer certifies that:

1) The prices in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other proposer, proposer or competitor for the purpose of restricting competition relating to:

a) The prices or costs offered,

b) The intention to submit a bid or proposal,

c) The methods or factors used to calculate the costs or prices offered.

2) The prices in this bid or proposal have not been and will not be knowingly disclosed by the proposer, directly or indirectly, to any other proposer or competitor before the bid/cost proposal opening date or date of contract award posting, unless otherwise required by law.

3) No attempt has been made or will be made by the proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.

b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the proposer’s organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections *1* through *3* of paragraph *a* above.

CCC 304 - CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)	*Federal ID Number*
By (Authorized Signature)	
Printed Name and Title of Person Signing	
Date Executed	*Executed in the County of*

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (GC 12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

   a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

   b. Establish a Drug-Free Awareness Program to inform employees about:

      1) the dangers of drug abuse in the workplace;
      2) the person's or organization's policy of maintaining a drug-free workplace;
      3) any available counseling, rehabilitation and employee assistance programs; and,
      4) penalties that may be imposed upon employees for drug abuse violations.

   c. Every employee who works on the proposed contract will:

      1) receive a copy of the company's drug-free workplace policy statement; and,

      2) agree to abide by the terms of the company's statement as a condition of employment on the contract.

   Failure to comply with these requirements may result in suspension of payments under the contract or termination of the contract or both and Contractor may be ineligible for award of any future State contracts if the department determines that any of the following has occurred: (1) the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (GC 8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court which orders Contractor to comply with an order of the National Labor Relations Board. (PCC 10296) (Not applicable to public entities.)

4. UNION ORGANIZING Contractor hereby certifies that no request for reimbursement, or payment under this contract, will seek reimbursement for costs incurred to assist, promote or deter union organizing.

5. CONTRACTS FOR LEGAL SERVICES $50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003. Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State. Failure to make a good faith effort may be taken into account when determining the award of future contracts with the State for legal services.

CCC 304 - CERTIFICATION

6. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with State of California.

7. SWEAT-FREE CODE OF CONDUCT:

   a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

   b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph a.

8. DOMESTIC PARTNERS: Commencing on July 1, 2004, Contractor certifies that it is in compliance with Public Contract Code Section 10295.1 with regard to benefits for domestic partners. For any contracts executed or amended, bid packages advertised or made available, or sealed bids received on or after July 1, 2004, and prior to January 2007, a contractor may require an employee to pay the costs of providing additional benefits that are offered to comply with PCC 10295.1.

NOTE: This form represents only the certification portion of the Contractor Certification Clauses (CCC). Additional information about contracting with the state appears in the full text of the applicable CCC. Visit this web site to view the entire document: http://www.ols.dgs.ca.gov/Standard+Language/default.htm.

Conflict of Interest Certification

A. This certification shall be completed and submitted with the mandatory Letter of Intent and with the proposal.

B. DHS/TCS intends to avoid conflicts of interest or the appearance of conflicts of interest on the part of the Contractor, subcontractors, or employees, officers and directors of the Contractor or subcontractors. Thus, DHS/TCS reserves the right to determine, at its sole discretion, whether any information received from any source indicates the existence of a conflict of interest. For purposes of this certification and disclosing conflicts of interest, "proposer/Contractor" includes holding companies, parent companies, and affiliate companies.

C. Conflicts of interest include, but are not limited to, the following examples:

   1. An instance when the proposer/Contractor or any of its subcontractors, or any employee, officer, or director of the proposer/Contractor or any subcontractor has responsibility for the strategy, development, media purchasing, media planning, or media relations for the Tobacco Education Media Campaign (hereinafter "Media Campaign") and simultaneously has a direct and substantial contractual or corporate responsibility to promote, or assist in the promotion of, the use of, or the sale of tobacco products for a company involved in, or company with a subsidiary involved in, the production, distribution, or marketing of tobacco products.

   2. An instance when the proposer/Contractor or any of its subcontractors, or any employee, officer, or director of the proposer/Contractor or any subcontractor holds a position of interest, financial or otherwise, which would allow use or disclosure of information obtained while performing services for the Media Campaign, for private or personal benefit or for any purpose that is contrary to the goals and objectives of the Media Campaign.

D. If DHS/TCS is aware of a known or suspected conflict of interest, the proposer or Contractor will be given an opportunity to submit additional information or to resolve the conflict. A proposer or Contractor with a suspected conflict of interest will have five (5) working days from the date of notification of the conflict by DHS/TCS to provide complete information regarding the suspected conflict. If a conflict of interest is determined to exist by DHS/TCS and cannot be resolved to the satisfaction of DHS/TCS, before or after the award of the contract, the conflict will be grounds for rejection of the proposal and/or termination of the contract.

E. The proposer shall place this Certificate in the Appendix Section of its proposal response. This Certificate shall bear the original signature of an official or employee of the proposer who is authorized to bind the proposer.

F. This Certificate will be incorporated into the contract, if any, awarded from this RFP. It is understood that this requirement shall be in effect for the entire term of the contract. The Contractor shall obtain a completed Certificate from any proposed subcontractor and submit it to DHS/TCS prior to approval of the subcontractor by DHS/TCS.

G. The Contractor and each subcontractor, via the Contractor, shall notify DHS, CDIC/Tobacco Control Section, MS 7206, 1616 Capitol Avenue, Suite 74.516, Sacramento, CA 95814 within ten working days of any change to the information provided on this Certificate.

H. DHS/TCS' determination of a suspected or potential conflict of interest will be based on all of the proposer's business affiliations and contractual relationships. If the proposer or any of its subsidiaries or its parent company is in any way connected to, and/or involved with, and/or engaged in the exchange of information with a company involved in, or company with a subsidiary involved in, the production, distribution, or marketing of tobacco products, the proposer will be deemed to have a potential conflict of interest.

   If the proposer has a suspected or potential conflict of interest, the proposer shall attach to this form a description of the relationship, a plan for ensuring that such a relationship will not adversely affect DHS/TCS, and procedures to guard against the existence of an actual conflict of interest.

The undersigned hereby affirms that: (check one)

☐ The statements above have been read, and the undersigned agency has determined that no conflict of interest exists.

☐ A suspected or potential conflict of interest does exist, and additional information (as described in G above) is attached along with a plan to address the possible conflict of interest.

Signed: ______________________ **Title:** ______________________ **Date:** __________

Type or Print Name of Authorized Representative: ______________________

Agency: ______________________

Follow-on Consultant Contract Disclosure

Background Information:

1. PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for and/or being awarded a contract for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract.
2. PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services contract that totals no more than ten percent of the total monetary value of the consulting services contract.
3. Consultants/employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.
4. PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

Disclosure [Mark one (1) box]:

☐ I hereby certify that neither my firm nor any subcontractor that my firm intends to use under the contract resulting from this procuement, is currently providing consulting services to the state under a state contract (or as a subcontractor providing more than ten percent of dollar value of a consulting service contract with the state) or has provided such services within five (5) years prior to the release of this RFP that are related in any manner to the services, goods, or supplies being acquired pursuant to this RFP. **[Sign below.] This option is likely to apply to bidding firms that do not currently and never have provided consultant services to the state.**

☐ Attached is a disclosure of current and/or prior consulting services provided by my firm or a proposed subcontractor to the state under a state contract within five (5) years prior to the release of this RFP that may be related in some manner to the services, goods, or supplies being acquired pursuant to this RFP. **[Sign below and attach to this document a detailed disclosure.]**

Name of Firm	
Signature	**Date Signed**
Printed/Typed Name	**Title**

Attachment 9

Client List

Proposers must use the table format shown below to list accounts held by the California-based office that will service the DHS/TCS account. Proposers must include all accounts during the past five years. Do not include accounts serviced by offices other than the California-based office that will service the DHS/TCS account.

Instructions:

Client Name: List client names in alphabetical order.

Start Date: The date work for the client began.

End Date: The date work for the client ended. If the work has not ended, enter "open" for the End Date.

Annual Budget: Check the block corresponding to the average annual budget for the account.

Reason for Discontinuation: For accounts with an End Date, enter the reason the account was discontinued. For accounts that were discontinued by the proposer or the client in advance of the expected project or contract completion date, provide a detailed explanation at the end of your Attachment 9.

Type(s) of Public Relations Services Provided: Check all that apply, according to the following descriptions:

Social Marketing (SM): primary account objectives include promoting attitude and behavior changes to benefit a specific target audience or the general society

Government (Gov): account with a local, state, or federal government agency

Nonprofit (N): account with a certified 501(c)(3) nonprofit

Commercial (Com): client is a for-profit business entity

Local Collaborative (Loc): account entails working with community-based organizations and/or local businesses with similar goals

Priority Population (P): account entails work targeted toward one or more of DHS/TCS' priority populations: African American, Asian/Pacific Islander, Hispanic/Latino, lesbian/gay/bisexual/transexual (LGBT), labor, and low socio-economic status (low-SES)

Young Adult (YA): account entails work targeted at young adults, aged 18-24

Adult (A): account entails work targeted at adults

Spokesperson Training (ST): account work includes training of spokespersons to be interviewed by reporters

Crisis Management (CM): account work includes preparing client for potential crises, rapid response during a crisis, and recovery after a crisis

Statewide Media Relations (SMR): media relations conducted throughout California for the client, as opposed to local or regional

Event Planning (EP): account work includes event planning

Strategic Counsel and Planning (SCP): account involves collaboration with the client on situation analysis and identification of strategic alternatives

Client Name	Start Date	End Date	Average Annual Budget				Type(s) of Public Relations Services Provided												
			< $250,000	$250,000 - $500,000	$500,001 - $750,000	>$750,000	SM	Gov	N	Com	Loc	P	YA	A	ST	CM	SMR	EP	SCP

Provide proposed budget allocations in thousands of dollars ($000) SERVICE	AGENCY or INDIVIDUAL NAME	BUDGET 1 03/01/05 thru 06/30/05	BUDGET 2 07/01/05 thru 06/30/06	BUDGET 3 07/01/06 thru 06/30/07	BUDGET 4 07/01/07 thru 06/30/08
I. Public Relations Prime Contractor					
II. Public Relations Subcontractors List known subcontractors by name and their target audience or specialization. If you plan to subcontract any portion of the Scope of Work but have not identified an agency, indicate TBD (to be determined) in place of the name.					
Continue on a separate page if necessary					
II. Public Relations Consultants with contracts exceeding $5,000 List by name (or TBD) and target audience or specialization					
Continue on a separate page if necessary					
	TOTALS	$ -	$ -	$ -	$ -